

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services-Treasuries & Accounts Department- Guntur District-Doubtful pension payment made at Sub Treasury Office, Mangalagiri -Disciplinary action against Sri K.S.R.C.Murthy, Sub Treasury Officer (Retd), Ongole -Penalty of withholding of 5% cut in his pension for a period of 5 years-Orders-Issued.

FINANCE (ADMN-III) DEPARTMENT

G.O.Rt.No. 3138

Dated:06-08-2011

Read the following:

- Ref:1..Complainant received from Sri Ch.Ramana Reddy,
Laxmipuram Road, Guntur, dated.14-11-2007
- 2.Lr.No.K(I)4/20716/2007, dt.02-06-2008 from the DTA, Hyderabad
 - 3.Charge.Memo.No.K(I)4/20716/2007, dtd.06-09-2008.
 - 4.Writtten Statement of defence dtd.30-09-2008 of Sri K.S.R.C.Murthy,
STO (Retd), District Treasury Office, Ongole, Prakasam District
 - 5.Procgs.No.K(I)4/20716/2007, dt.18.5.2009 of the DTA, AP,
Hyderabad.
 - 6.Inquiry Report of Sri N.Nageswara Rao, IO & DTO,
Vijayawada, Dated.09.08.2009
 - 7.Govt.Memo.No.8069/562/A1/Admn-III/2007, Dated:19-12-2009.
 - 8.Explanation of the individual on the Enquiry Report dated.28.01.2010
 - 9.Government Memo No 8069/562/A1/Admn.III/2007 dated
19-08-2010 of Finance (Admn.III) Department.
 10. Reply against final show cause notice dated 21-09-2010
submitted by the individual.
 - 11.Government Memo No. 8069/562/A1/Admn.III/2007 dated 24-03-
2011 of Finance (Admn.III) Department.
 12. Letter No. 559/RT-I/1/2011 dated 31-05-2011 of A.P.P.S.C., Hyderabad
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ORDER :

In the reference 2nd cited, the Director of Treasuries and Accounts, A.P., Hyderabad, has initiated departmental action against Sri K.S.R.C.Murthy, formerly Sub Treasury Officer, Sub Treasury, Mangalagiri presently Sub Treasury Officer (Retd), District Treasury Office, Ongole, Prakasam District, for his failure to follow the required procedures in accepting Pension Payment Orders and other documents in Inward Register and processing them for payment. The following charges were framed against the individual :-.

Charge:-I

“That the said Sri K. Sree Rama Chandra Murthy, STO while working as STO at Sub Treasury Office, Mangalagiri of Guntur District has accepted and acted upon the documents produced by an unknown person without undertaking any kind of cross verification. Thus exhibited negligence in the performance of his official duties and thereby violated Rule 3 of APCS (Conduct) Rules, 1964.”

Charge:-II

“ That during the aforesaid period and while functioning official duties the aforesaid officer Sri K. Sree Rama Chandra Murthy, STO has not undertaken proper scrutiny of the documents before ordering the payment of Pension and Gratuity and thereby causing pecuniary loss to Government to the extent of Rs.3,62,112-00 (Rupees Three Lakhs Sixty Two Thousand One Hundred and Twelve only). Thus exhibited lack of integrity, devotion to duty and unbecoming conduct violated Rule 3 of AP Conduct Rules, 1964.”

Charge:-III

“that the said Sri K. Sree Rama Chandra Murthy, STOduring the aforesaid period and while functioning in the aforesaid officer was passed for payment Gratuity payment and Pension payment authorizing the SBI Mangalagiri to issue bank draft at Andhra Bank, Phirangipuram which is not under the territorial jurisdiction of the Sub Treasury Mangalagiri in respect of PPO of Sri M.Malleswara Rao who was an unknown person. Thus Sri K.Sri Rama Chandra Murthy, STO, Mangalagiri has exhibited negligence and misconduct. Thereby violated Rule 3 of AP Civil Services (Conduct) Rules, 1964.”

Charge:-IV

“that the said Sri K. Sree Rama Chandra Murthy, STO during the aforesaid period and while functioning in the aforesaid office has failed to safeguard the official records carefully and handed-over official documents to a private person in deviation of office procedures and thereby caused disappearance of evidence of his making payment of fake pension papers. Thus he has exhibited lack of devotion to duty and integrity and violated Rule 3 of APCS (Conduct) Rules 1964.”

Defence of the Charged Officer:

The STO and Charged Officer Sri K. Sree Rama Chandra Murthy in his deposition dt.1.2.2008 in the preliminary inquiry for question No.10 stated that he has accepted the cover said to have been containing PPOs, GPO and commutation authorization in a routine manner as the District Treasury used to hand over such papers to the individuals concerned and in the same belief he has accepted the papers.

Further when the Charged Officer has not offered himself to be examined, Inquiry Officer preferred some questions where the circumstances appear against him. The Charged Officer has stated to one such question that, it is a routine affair for pensioners to get their pension authorizations from District Treasury, Guntur. Further he stated that the unknown person who brought the cover stated that his father is a heart patient and hence he received the cover with belief without rejecting the same.

The Charged Officer Sri K.Sri Rama Chandra Murthy to a question No.2 posed by I.O., when C.O. did not offer himself for examination, replied that he has not observed the variation of 18-SGC-027907 on PPOs and 18-G-027025 due to rush of work. For another question he replied that payment was authorized on AB Phirangipuram when GPO contained payment at AB Mangalagiri, as the pensioner has given a written request for payment at AB Phirangipuram as he was staying with his daughter at Phirangipuram. For a similar question in preliminary inquiry on 1.2.2008 he stated that as he was new to the place and he had not known that Phirangipuram is not in the service jurisdiction of STO Mangalagiri. Hence he has given a contradictory statement on 1.2.2008 in preliminary inquiry and to the I.O. on 30.5.2009

The Charged Officer Sri K.S.R.C.Murthy, STO in the preliminary inquiry on 01.02.2008 and in the regular inquiry held on 30.05.2009 by I.O. stated that

- a) he has allowed forwarding of both balances of PPO, descriptive rolls O/c of the G.P.O. intimation letter from the O/o Deputy Director said to have been signed by ATO O/o Deputy Director, District Treasury Guntur, commutation authorization Treasury copy and pensioners copy along with a Lr.No.A1/258/07, dt.03.10.2007 of STO Mangalagiri to District Treasury Office, Guntur seeking clarification over variation in commutation authorization, and feeling that all those papers are necessary for verification at District Treasury for giving clarification over variation in commutation authorization.
- b) He has handed over the cover containing the material mentioned in ‘a’ above to a private person as he stated that he is the son of the pensioner and the pensioner to be a heart patient and the son of the pensioner promised to rectify the said variation in commutation authorization early from District Treasury Office.

2. In the reference 3rd cited, the Director of Treasuries and Accounts, AP, Hyderabad has issued a charge memo to Sri K.S.R.C.Murthy, formerly Sub Treasury Officer, Sub Treasury, Mangalagiri and later Sub Treasury Officer (Retd), District Treasury Office, Ongole, Prakasam District. The individual has submitted his written statement of defence vide reference 4th cited.
3. In the reference 5th cited, the DTA, being not satisfied with the written statement of defence, ordered a regular enquiry under Rule 20 of APCS (CC&A) Rules, 1991. The individual retired from service on 31-05-2009 AN on attaining the age of superannuation.
4. In the reference 6th cited, the Enquiry Officer has submitted his enquiry report wherein out of the Four (4) charges framed against Sri K.S.R.C.Murthy, Sub Treasury Officer (Retd), District Treasury Office, Ongole, Prakasam District (3) charges were proved.
5. In the reference 7th cited, a copy of the Enquiry Report was furnished to Sri K.S.R.C.Murthy, Sub Treasury Officer (Retd), District Treasury Office, Ongole, Prakasam District under Rule 21 of APCS (CC&A) Rules, 1991 r/w rule 9 of A.P. Revised Pension Rules. The Charged Officer has submitted his explanation to the Enquiry Report, vide reference 8th cited, which is not found convincing and does not put forth any new or valid grounds for re-consideration of his case.
6. After careful examination of the matter, Government have provisionally decided to impose a punishment of withholding of 5% of his pension for a period of (5) years on Sri K.S.R.C.Murthy, Sub Treasury Officer (Retd), District Treasury Office, Ongole, Prakasam District under Rule 9 of A.P. Revised Pension Rules, 1980, for the charges held proved during the enquiry.
7. In the reference 9th cited, the individual has been issued a Final Show Cause Notice through the DTA. A.P., Hyderabad asking to explain as to why the punishment of withholding of 5% of his pension for a period of 5 years for the charge held proved during the inquiry should not be imposed.
8. In the reference 10th read above, he gave his explanation and he has not mentioned any new points and he has reiterated his earlier explanation. The Government have addressed to APPSC for concurrence on the proposed punishment of withholding of **5% in his pension for a period of 5 years** against Sri K.S.R.C.Murthy, Sub Treasury Officer (Retd), District Treasury Office, Ongole, Prakasam District vide reference 11th read above.
9. In the reference 12th read above, the Commission, that after careful examination of the disciplinary case in the light of the records made available, agreed with the proposal of the Government to impose a punishment of withholding of 5% cut in pension for a period of 5 years against Sri K.S.R.C.Murthy, Sub Treasury Officer (Retd), District Treasury Office, Ongole, Prakasam District

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10. Accordingly, Government hereby order to impose the punishment of withholding 5% cut in his pension for a period of Five (5) years on Sri K.S.R.C.Murthy, Sub Treasury Officer (Retd), District Treasury Office, Ongole, Prakasam District under Rule 9 of A.P. Revised Pension Rules, 1980, for the charges proved in the disciplinary proceedings initiated vide reference 3rd read above.

11. The Director of Treasuries and Accounts, Hyderabad shall take necessary action to serve this order on the individual and send a served copy to the Government, at the earliest.

12. The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RANJEEV R. ACHARYA
PRL.SECRETARY TO GOVERNMENT

(FP)

To

The individual (through DTA)

Copy to: DTA, Hyderabad

The AG, AP Hyderabad

The APPSC, Hyderabad

//FORWARDED BY ORDER//

SECTION OFFICER